

REMARKS

Claims 1-33 are currently pending in the application.

Claims 16-33 have been previously withdrawn, without prejudice.

Applicants note with appreciation the withdrawal of the rejection of Claim 6 under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 1-3, 5, 7-12, 14, and 15 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Cejka *et al.* (U.S. Patent No. 6,106,922).

Claims 1, 2, 5, 7, 8, 12, 13, and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Rawlinson (U.S. Patent No. 4,329,196).

Claims 1, 6, 9, 10, and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Zuiddam *et al.* (U.S. Patent No. 4,866,808).

Claims 4 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cejka *et al.*

Claims 3, 4, and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rawlinson.

Rejection Under 35 USC § 102(e)

Claims 1-3, 5, 7-12, 14, and 15 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Cejka *et al.* (U.S. Patent No. 6,106,922). Applicants respectfully traverse the rejection and request withdrawal of same.

Applicants' invention as claimed provides a three dimensional, **unitary**, molded, polymeric article with projecting elements, wherein said molded article is prepared from distinct first polymeric materials and second polymeric materials.

Cejka *et al.* teaches a web of material having two sides and a plurality of stems. Cejka *et al.* does not teach that the web of material is prepared from a three dimensional, **unitary**, molded article comprising two distinct first and second polymeric materials, as provided by way of Applicants' invention. All elements of Applicants' invention as

claimed are not provided by Cejka *et al.* As such, Cejka *et al.* cannot provide support for the rejection. Applicants respectfully request withdrawal of same.

Rejections Under 35 USC § 102(b)

Claims 1, 2, 5, 7, 8, 12, 13, and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Rawlinson (U.S. Patent No. 4,329,196).

Applicants' invention as claimed provides a three dimensional, **unitary**, molded, polymeric article with projecting elements, wherein said molded article is prepared from distinct first polymeric materials and second polymeric materials.

Rawlinson teaches a method for preparing a three dimensional laminate. Rawlinson does not teach a three dimensional, **unitary**, molded, polymeric article with projecting elements, wherein said molded article is prepared from distinct first polymeric materials and second polymeric materials as provided by way of Applicants' invention. The Examiner has stated that Rawlinson teaches the two layers can be similar materials which indicates that the two layers may be different if desired. Applicants maintain the Examiner has not addressed the structural differences between the laminate of Rawlinson and Applicants' invention as claimed. All elements of Applicants' invention are not provided by Rawlinson, and as such, Rawlinson will not support the rejection. Applicants respectfully request withdrawal of the rejection.

Claims 1, 6, 9, 10, and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Zuiddam *et al.* (U.S. Patent No. 4,866,808).

Applicants' invention as claimed provides a three dimensional, unitary, molded, polymeric article with projecting elements, wherein said molded article is prepared from distinct first polymeric materials and second polymeric materials.

Zuiddam *et al.* teaches a rollable floor mat with a plurality of U-shaped plastic profiles. Zuiddam *et al.* does not teach a three dimensional, unitary, molded, polymeric article with projecting elements, wherein said molded article is prepared from distinct first polymeric materials and second polymeric materials as provided by Applicants'

invention. The Examiner has stated that Zuidamm provides projecting elements made from plastic profiles with bristle-like filaments, but the Examiner has not addressed the structural differences between Zuidamm and Applicants' invention. All elements of Applicants' invention are not provided by Zuidamm *et al.*, and as such, Zuidamm *et al.* will not support the rejection. Applicants respectfully request withdrawal of the rejection.

Rejections Under 35 USC § 103(a)

Claims 4 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cejka *et al.*

Applicants' invention as claimed provides a three dimensional, unitary, molded, polymeric article with projecting elements, wherein said molded article is prepared from distinct first polymeric materials and second polymeric materials.

Cejka *et al.* teaches a web of material having two sides and a plurality of stems. Cejka *et al.* does not teach or suggest that the web of material is prepared from a three dimensional, unitary, molded article, comprising two distinct first and second polymeric materials, as provided by way of Applicants' invention. The Examiner states that Cejka discloses that the first and second materials differ from one another, but has not addressed the structural differences of the articles. A *prima facie* case of obviousness has not been provided by Cejka *et al.* As such, Cejka *et al.* cannot provide support for the rejection. Applicants respectfully request withdrawal of same.

Claims 3, 4, and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rawlinson.

Applicants' invention as claimed provides a three dimensional, unitary, molded, polymeric article with projecting elements, wherein said molded article is prepared from distinct first polymeric materials and second polymeric materials.

Rawlinson teaches a method for preparing a three dimensional laminate. Rawlinson does not teach or suggest a three dimensional, unitary, molded, polymeric

article with projecting elements, wherein said molded article is prepared from distinct first polymeric materials and second polymeric materials as provided by Applicants' invention. The Examiner has stated that even though Rawlinson does not employ different pigments, it would have been obvious to employ different pigments. However, Applicants maintain that the Examiner has not addressed the structure of the article. A *prima facie* case of obviousness has not been established. Applicants respectfully request withdrawal of the rejection.

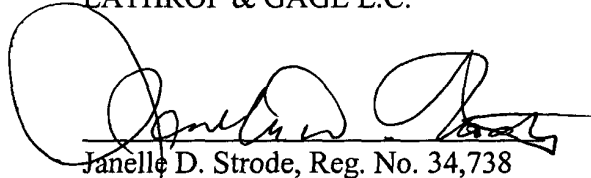
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CONCLUSION

It is respectfully requested that the rejection of the Claims be reconsidered and Claims 1-15 be found allowable. Should the Examiner believe the issues remain outstanding, the Examiner is respectfully requested to call Applicants' undersigned attorney in an effort to resolve such issues and advance this application to issue.

Respectfully submitted,

LATHROP & GAGE L.C.

A handwritten signature in black ink, appearing to read 'Janelle D. Strode', is written over a horizontal line.

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